

REMARKS/ARGUMENTS

35 USC § 102

Claims 10 and 13 were previously rejected under 35 USC § 102 as being anticipated by JP 04164647 A (ENDO et al.). The applicant respectfully disagrees. Nevertheless claims 10-18 were canceled and new claims 19-26 added. The applicant believes that the presently claimed subject-matter is patentably distinct from ENDO et al. in view of the following:

ENDO et al. discloses a method for production of a decorative sheet, in which method a transfer foil 2 (including an ink printing layer 2c and a reflecting layer 2d provided on an adhesive layer 2e) is applied by means of a hot stamp die 1 onto a sheet 3.

Clearly, ENDO does not teach to provide, in a first step, an adhesive-repellant base medium for the manufacture of a screen print reflection transfer. In particular, the sheet 3 - mentioned by the Examiner in this context- cannot be regarded as an adhesive repellent base medium. As mentioned above, sheet 3 is, as a result of ENDO's treatment, constantly bonded to the transfer foil by means of the hot stamp die 1. As can be particularly gathered from Fig. 2 of ENDO, the transfer foil 2 is partially projected into the sheet 3 in order to form the constant bonding. Accordingly, sheet 3 is not -and can not be- an adhesive repellent.

Furthermore, ENDO also fails to teach applying (according to independent claim 1) in two separate steps (second and third step) a transfer adhesive on the base medium, as well as a reflection ink comprising a plurality of reflection particles onto the transfer adhesive. Instead, ENDO teaches to apply, onto the sheet 3, an -already completed- multi layered structure including the adhesive 2e, the reflective layer 2d and the ink printing layer 2c.

Still further, ENDO does also not teach to apply, on a transfer adhesive or directly on an optionally intermediate ink layer, a reflection ink comprising a plurality of reflection particles. As can be clearly seen from Fig. 1 in ENDO, the ink printing layer 2c and the reflecting layer 2d form two separate layers, which cannot be identified with a "reflection ink comprising reflection particles" (according to independent claim 1). This is particularly distinct for the new claim 19 which includes the additional limitation that "the reflection particles are added to the reflection

ink before applying the reflection ink on the transfer adhesive or the optional intermediate ink layer.

Additionally, the ink printing layer 2c and the reflecting layer 2d which are forming two separate layers can also not be identified with a transfer adhesive/reflection ink mixture comprising a plurality of reflection particles or a colored transfer adhesive which comprises a plurality of reflection particles as specified in independent claim 4 (since the layers 2c, 2d and 2e in ENDO are separate layers which do not form a mixture).

Therefore, the process illustrated in Fig. 1 of ENDO implies that, if any structure can be regarded as a "reflection transfer", such a reflection transfer should be identified with the "transfer foil 2". However, the transfer foil 2 is (neither concerning its structure nor its manufacturing process) comparable to the screen print reflection transfer as claimed in the new independent claims 19 and 22 of the present invention.

Even if one would regard the structure 4 as adhesive repellant base medium (to identify sheet 3 with transfer adhesive), the teaching of ENDO would not anticipate the claimed subject-matter. In this case, neither the respective layer 2d nor the ink printing layer 2c are applied -in view of the interposed adhesive layer 2e- directly on sheet 3. Furthermore, in a subsequent transfer of the bonded structures 2 and 3 to a further substrate, the whole structure as illustrated in Fig. 2 of ENDO would be necessarily destroyed due to the performed thermally or pressure induced bonding process.

35 USC § 103

Claims 11-12 and 14-18 were previously rejected under 35 USC § 103 as being obvious over ENDO et al. in view of LaPerre. The applicant again respectfully disagrees for various reasons.


Among other things, since the teaching of ENDO requires application of the already completed transfer foil 2 onto sheet 3, ENDO can also give no hint to a person skilled in the art to combine this teaching with any of the further prior art documents (as e. g. disclosed in LaPerre and Ueda), in order to arrive at the subject-matter of any of the independent claims 19 or 22.

In view of the present amendments and arguments, the applicant believes that all claims are now in condition for allowance. Therefore, the applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

RUTAN & TUCKER

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A handwritten signature in black ink, appearing to read 'Fessenmaier', is written over a horizontal line.

Martin Fessenmaier, Ph.D.

Reg. No. 46,697

Tel.: (714) 641-5100